

# Wetlands Bureau Decision Report

Decisions Taken  
12/13/2010 to 12/19/2010

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2008-02138                      KRIEGER, ALEX & ANNE**  
**DOVER   Fresh Creek**

### Requested Action:

Approve name change to: Alex & Anne Krieger, 75 Moraine St., Boston MA 02130-4337 per request received 12/13/10. Previous owner: Robin De Campi.

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Inspection Date: 01/15/2009 by Dori A Wiggin

### APPROVE NAME CHANGE:

Construct a tidal docking structure consisting of a 4' x 100' permanent pier connecting to a 3' x 27' ramp connecting to a 18' x 10' float, overall structure length 137', on 914' of frontage on Fresh Creek.

### With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers dated 9/16/2008, as received by the Department on 10/2/2008.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 4' x 100' permanent pier connecting to a 3' x 27' ramp connecting to a 18' x 10' float, overall structure length 137', on 914' of frontage on Fresh Creek shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. The float stops shall be designed to maintain at least 18" of clearance between the substrate and the bottom of the float units.

### With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

-Send to Governor and Executive Council-

**2009-02507                      JARRY, MICHAEL**  
**HUDSON   Unnamed Wetland Unnamed Stream**

### Requested Action:

Dredge and fill a total of 8,942 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway and driveway with culvert crossings to access a 39-lot residential open space development on a 194 acre combined parcel of land of which 114.2 acres will be maintained, in perpetuity, in an undeveloped and natural condition by way of a Conservation Easement.

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Conservation Commission/Staff Comments:

The Hudson Conservation Commission recommends approval of the project and will be the holder of the Conservation Easement.

APPROVE AMENDMENT:

Dredge and fill a total of 8,942 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway and driveway with culvert crossings to access a 39-lot residential open space development on a 194 acre combined parcel of land of which 114.2 acres will be maintained, in perpetuity, in an undeveloped and natural condition by way of a Conservation Easement.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August & November 2008, as received by DES on October 19, 2009 and Master Plan dated November, 2008 (last revised 3/05/2010) received on March 17, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Record approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Hillsborough County Registry of Deeds to the DES Wetlands Bureau.
6. NH DES Wetlands Bureau Southeast Region staff and the Hudson Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip-rapped.
13. Work shall be done during low flow.

Compensatory Mitigation: AMENDED

1. This permit is contingent upon the execution of a conservation easement on 114.2 acres as depicted on plans and narrative received October 19, 2009 and March 17, 2010.
  - 1a. AMENDMENT: 5.6 acres of land from Open Space "A" will be removed to minimize impacts from the proposed Circumferential Highway construction, thereby reducing the amount of stream channel placed in conservation from 4,600 to 4,100 linear feet per plan titled "Common Open Space/ Conservation Land Plan" Jarry Subdivision by Keach - Nordstrom Associates, Inc. dated August 2008 (last revised 09/02/10) as received by the DES on October 04, 2010.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Hillsborough County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [Town of Hudson Wetland Conservation District Boundary Markers] prior to construction.
6. The permittee has agreed to and will make a one-time payment of ten thousand dollars (\$10,000.00) to the Conservation Easement holder [the Town of Hudson] for future maintenance prior to the start of construction.
7. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall

be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course or disturb 200 or more feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The US EPA recommends this project as eligible for the NH State Programmatic General Permit based on the project specific conditions and compensatory mitigation provided.

**2010-01539 CHESTERFIELD DPW, TOWN OF  
CHESTERFIELD Connecticut River**

Requested Action:

CConfirm Emergency Authorization issued on June 15, 2010, to riprap stabilize  $\pm$  275 linear feet of the Connecticut Riverbank.

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CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued on June 15, 2010, to riprap stabilize  $\pm$  275 linear feet of the Connecticut Riverbank.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of a river channel or its banks.
2. Pursuant to Env-Wt 302.03(c)(2)(c), mitigation is not required, because the project involves only riprap or other bank stabilization to protect existing infrastructure such as highways.
3. The project was necessary to prevent damage to River Road.
4. Emergency authorization for this work was issued by the DES Wetlands Bureau Administrator on June 16, 2010.
5. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
6. The Local Advisory Committee was notified of the project on October 27, 2010.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
10. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2010-01580 BAHRE ALTON PROPERTIES LLC  
ALTON Unnamed Wetland**

Requested Action:

Proposal to amend permit conditions #5 and mitigation conditions #19, 20, 21, 22, 23 and 25.

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APPROVE AMENDMENT:

Dredge and fill 24,670 sq. ft. of wetlands and temporarily impact 700 sq. ft. of wetlands for the construction of a bank, retail building, associated access, parking and utilities at an existing commercial development site in Alton. Approve as Compensatory

Mitigation an alternative mitigation proposal as described in the Memorandum of Agreement between Bahre Alton Properties LLC and the Town of Alton Board of Selectmen dated September 15, 2010, as received by DES on September 28, 2010 to conduct the Coffin Brook Road Floodplain Connectivity Improvement Project.

With Conditions:

1. All work shall be in accordance with plans by Golde Planning & Design, Inc., et al., sheets C0, C10, C11, C12, C13 and C14 dated April 28, 2010, plan sheets C4 and C5 revision date of June 8, 2010 and plan sheet C1 revision date of June 9, 2010 and narratives by Stoney Ridge Environmental, LLC, as received by the NH Department of Environmental Services (DES) on June 14, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The project's Qualified Environment Professional shall monitor the project to assure it is constructed in accordance with the approved plans and narratives.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

Compensatory Mitigation (alternative mitigation):

16. This permit is contingent upon the execution of the alternative compensatory mitigation plan as detailed in the Memorandum of Agreement (MOA) between Bahre Alton Properties LLC and the Town of Alton Board of Selectmen dated September 15, 2010, as received by DES on September 28, 2010 to conduct the Coffin Brook Road Floodplain Connectivity Improvement Project.
17. The MOA stipulates acceptance of the funds by the Town of Alton Selectmen and commits all of the funds to the Coffin Brook Floodplain Connectivity Improvement Project. Funds for the work shall be deposited with the Town prior to site construction and documentation of the payment provided to the DES Wetlands Bureau.
18. The funds provided from the project cannot be spent on any other project and in the event that the mitigation project (DES File #2010-02327) does not get constructed within one year of the mitigation project approval, the \$83,175.03 shall be deposited into the DES ARM Fund account.

With Findings:

DES reaffirms findings 1 through 27 with additional findings.

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent

to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has indicated that the additional wetland impacts are needed for relocation of the existing bank and retail location in order to provide an expansion area for the existing supermarket to meet customer needs and expectation resulting from the higher than anticipated level of business. Additionally, the applicant has indicated that the site is located in the center of Alton's limited commercial zone and there are no other lots available to accommodate the bank and retail building.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. After meeting with the U.S. Army Corps of Engineers ("ACOE"), the U.S. Environmental Protection Agency ("EPA") and DES the applicant has reduced the original design by 8,690 sq. ft. by altering the project layout and adding retaining walls.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. DES Staff conducted a field inspection of the proposed project on November 10, 2009.
8. The existing site development was approved through Wetlands Bureau file #2004-01292 issued on December 21, 2004 for 82,235 sq. ft. of palustrine forested impacts.
9. Compensatory mitigation was provided for those approved impacts.
10. The previous permit expired on December 21, 2009.
11. It was determined through meetings with DES and the applicant/agents that this application would be reviewed by DES as a new project.
12. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program has indicated that based on review of conceptual plans of the project they do not expect impacts to the State Threatened species identified in the vicinity of the project.
13. DES has received a comment review sheet from the EPA indicating the project is eligible for the NH Programmatic General Permit process ("NHPGP"). The comment sheet noted pervious pavement, wetland impact area size and in lieu fee ("Aquatic Resource Mitigation Fund") payment.
14. The project design includes pervious pavement and the alternative mitigation payment is based on the fee structure that would have been required by the Aquatic Resource Mitigation Fund ("ARM").
15. DES has not received any comments from the ACOE or any additional comments from the EPA.
16. The Conservation Commission did not indicate no objection or recommend denial of the project. They did note concerns with water quality, maintenance of porous pavement and limited buffer to the river. The Conservation Commission also noted there was no 40-day hold placed on the application review.
17. The stormwater water detention and treatment design will be addressed through permitting requirements of the DES Alteration of Terrain Bureau ("AOT").
18. DES discussed concerns with the lost treatment/buffer of storm water before leaving the site with the applicant/agents. The applicant has designed the project to try to avoid the higher function and value wetlands on the site, submitted an application to AOT and is providing additional offsite stormwater treatment for runoff from the adjacent property before entering the site.
19. There was no record of the hold request in the file and the file was reviewed after a 40-day hold would have expired.
20. DES has not received any additional comments from the Conservation Commission.
21. DES received comments from an abutter concerned of causing "even more water" to drain on to the abutter's property. Additionally, the abutter commented that before the supermarket there was only seasonal water in the spring but now there seems to be water there most of the year and questioned what is going to happen with two more buildings with parking on the small area.
22. The applicant's agent has indicated the associated wetlands were delineated in 2003 and for this project and there has been no increase in wetlands and the wetlands flagged that are associated with the abutter's property are the same. Additionally, it was indicated that there is no water being directed to the abutter's property or being dammed onto the abutter's property.
23. DES has not received any other comments or objections to the proposed project.
24. The applicant is offsetting the project impacts by providing an alternative compensatory mitigation plan which restores aquatic passage, floodplain connectivity, nutrient attenuation, and sediment trapping. This proposal meets the criteria for acceptable alternative mitigation proposals pursuant to Env-Wt 803.06.
25. The proposed improvements will enhance and restore valuable functions to a large scrub/shrub wetland system ("Coffin Brook Road Wetland system") that is over 76 acres in size with varying plant communities including peat land plant communities.
26. The Coffin Brook Road wetland system is of high ecological value and the proposed mitigation work has potential for long-term improvement to the overall floodplain ecosystem including improved conditions for amphibian movement and passage for Blanding's and spotted turtle.
27. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is

not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

28. The applicant/agent has requested to amend the permit to remove condition #5 "There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback" and conditions relative to mitigation monitoring and pre-construction meeting #19, 20, 21, 22, 23 and 25.

29. DES has removed condition #5.

30. The decision for any furthering permitting would be based on need and compliance with regulations at the time of the request.

31. DES removed the mitigation monitoring conditions.

32. The mitigation monitoring requirements were included in error and do not apply because the mitigation funds are going to help support a project with a separate permit (File #2010-02327) issued to the Town that includes permit conditions and will require additional follow-up information for receiving other funding from an ARM Fund grant award.

**2010-03009                      AHN TRUST, NORMAN/ELIZABETH  
ALTON   Lake Winnepesaukee**

**Requested Action:**

Install 4 pilings to support a permanent boatlift in the northern slip protected by an existing breakwater with a 6 ft x 30 ft pier connected to a 6 ft x 30 ft crib pier by a 6 ft x 36 ft walkway with a 24 ft x 30 ft seasonal canopy over the middle slip on 292 ft of frontage in Alton on Lake Winnepesaukee.

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**Conservation Commission/Staff Comments:**

Con Com has no concerns

**APPROVE PERMIT:**

Install 4 pilings to support a permanent boatlift in the northern slip protected by an existing breakwater with a 6 ft x 30 ft pier connected to a 6 ft x 30 ft crib pier by a 6 ft x 36 ft walkway with a 24 ft x 30 ft seasonal canopy over the middle slip on 292 ft of frontage in Alton on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 25, 2010, as received by the NH Department of Environmental Services (DES) on October 27, 2010.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. These shall be the only structures on this water frontage and all portions of the docking structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
- 6 All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 242 feet of frontage along Lake Winnepesaukee.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**2010-03133                      CLEARY, SANDRA**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Completely remove breakwater material from 240 sq ft of lakebed, dredge 4.04 cu yd from 242 sq ft of lakebed, move a 5 ft 6 in crib pier 2 ft northward, remove 12 sq ft of deck surface, reduce an existing seasonal canopy to 14 ft x 30 ft, install a permanent boat lift, two seasonal personal watercraft lifts, and repair the remaining 30 ft breakwater, 4 ft 7 in x 30 ft crib pier, and 10 ft x 25 ft deck over the water on an average of 101 ft of frontage on Lake Winnepesaukee.

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**APPROVE PERMIT:**

Completely remove breakwater material from 240 sq ft of lakebed, dredge 4.04 cu yd from 242 sq ft of lakebed, move a 5 ft 6 in crib pier 2 ft northward, remove 12 sq ft of deck surface, reduce an existing seasonal canopy to 14 ft x 30 ft, install a permanent boat lift, two seasonal personal watercraft lifts, and repair the remaining 30 ft breakwater, 4 ft 7 in x 30 ft crib pier, and 10 ft x 25 ft deck over the water on an average of 101 ft of frontage on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 8 2010, as received by the NH Department of Environmental Services (DES) on November 16, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
11. The seasonal watercraft lifts shall be removed from the lake for the non-boating season.
12. No portion of the piers shall extend more than 33 feet from the shoreline at full lake elevation.
13. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility associated with a breakwater.
2. The applicant has an average of 102 feet of frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The proposed docking facility is less environmentally impacting than the pre-existing structures and, therefore, meets the requirements of Rule Env-Wt 402.21, Modification of Existing Structures.



-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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**2009-01324                      MARRIOTT, JOHN & ANGELA**  
**TUFTONBORO   Lake Winnepesaukee**

### Requested Action:

Reset 65 linear ft of rip-rap, construct a 6 ft x 50 ft piling pier with a 4 ft x 30 ft piling pier and a 6 ft x 30 ft piling pier in an "F" configuration, and drive 6 tie-off piling on an average of 292 ft of frontage on Lake Winnepesaukee in Tuftonboro.

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### Conservation Commission/Staff Comments:

Con Com has no objections to the proposed project

### APPROVE PERMIT:

Reset 65 linear ft of rip-rap, construct a 6 ft x 50 ft piling pier with a 4 ft x 30 ft piling pier and a 6 ft x 30 ft piling pier in an "F" configuration, and drive 6 tie-off piling on an average of 292 ft of frontage on Lake Winnepesaukee in Tuftonboro.

### With Conditions:

1. All work shall be in accordance with plans by Folsom Design & Construction Management, dated May 12, 2009, as received by the NH Department of Environmental Services (DES) on June 22, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during low water conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
7. Only rocks currently existing on site which have fallen shall be used for repair. No additional rocks may be brought to the site.
8. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the docking structure shall extend more than 50 feet from the shoreline at full lake elevation.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4 slip, permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 292 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide X4slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. As documented in the Grant of Negative Easement and Transfer of Docking Rights recorded with the Carroll County Registry of Deeds on Page 0799 of Book 2893, no boat slips have been transferred from this lot to any other lot.

**2010-01137                      LAKESIDE COLONY INC, MARY OLSON**  
**TUFTONBORO   Lake Winnepesaukee**

**Requested Action:**

Applicant requests reconsideration of the Department's October 11, 2010 decision to deny beach replenishment and rock removal on the basis of revised plans submitted.

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**Conservation Commission/Staff Comments:**

Con Com submitted comments stating photos not current conditions

**APPROVE RECONSIDERATION:**

Reconsider and approve permit to: Replenish 330 sq ft of beach with 9 cubic yards of sand and dredge 12 cubic yards from 360 sq ft of lakebed adjacent to the dock on 119 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated October 25, 2010, as received by the NH Department of Environmental Services (DES) on October 26, 2010.
2. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. No more than 9 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from the lakebed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-01966                      TEMCO REAL ESTATE LLC**  
**MANCHESTER   Unnamed Wetland Unnamed Stream**

**Requested Action:**

Proposal to dredge and fill 820 sq. ft. of wetlands/stream for the removal of twin 36 in. x 48 in. CMP culverts with an open bottom 4 ft. high x 8 ft. span x 64 ft. run concrete arch culvert, associated erosion protection, dredging, filling and headwalls.

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**APPROVE PERMIT:**

Dredge and fill 820 sq. ft. of wetlands/stream for the removal of twin 36 in. x 48 in. CMP culverts with an open bottom 4 ft. high x 8 ft. span x 64 ft. run concrete arch culvert, associated erosion protection, dredging, filling and headwalls.

**With Conditions:**

1. All work shall be in accordance with plans and narratives by the City of Manchester plan date February 2010, as received by the NH Department of Environmental Services (DES) on July 22, 2010 and December 9, 2010.
2. If possible the constructed streambed shall be constructed with natural streambed materials (non-angular stone) or a combination of the proposed class "B" stone and natural streambed materials.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02023                      QUAYSIDE YACHT CLUB, DAVID NICKERSON**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Remove 1.7 sq ft of deck surface and drive 2 piling to improve navigational safety and repair all remaining cribs, pilings and deck surfaces in kind within a 144 slip marina on an average of 411 ft of frontage on Lake Winnepesaukee in Moultonborough.

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Inspection Date: 10/10/2010 by Dale R Keirstead

APPROVE PERMIT:

Remove 1.7 sq ft of deck surface and drive 2 piling to improve navigational safety and repair all remaining cribs, pilings and deck surfaces in kind within a 144 slip marina on an average of 411 ft of frontage on Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC as revised December 2, 2010, and received by the NH Department of Environmental Services (DES) on December 3, 2010.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction. the 1 .7 sq ft deck section shall be removed prior to the driving of the new pilings.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), installation of pilings that do not add boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02141 MORAN, WILLIAM/JUDITH**  
**ALSTEAD Unnamed Stream Unnamed Waterbody**

Requested Action:

Dredge and fill  $\pm$  17,600 palustrine emergent wetlands and excavated intermittent channel for pond/wetland/stream construction.

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APPROVE PERMIT:

Dredge and fill  $\pm$  17,600 palustrine emergent wetlands and excavated intermittent channel for pond/wetland/stream construction.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology, PLLC, dated July 2010, as received by the Department on August 09, 2010.
2. This permit is contingent on compliance with Wetlands and Non-Site Specific Permit 2010-00359.
3. All work shall be done in low flow conditions.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Machinery shall not be located within surface waters, where practicable.
6. Machinery shall be staged and refueled in upland areas.
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e), Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. Upland alternatives on properties owned by the applicant are limited by steep slopes, shallow depth to bedrock and lack of water.
3. According to the applicant the excavated intermittent channel proposed for impact was excavated in the 1980's and dredged spoils were deposited in the adjacent palustrine emergent wetlands.
4. The pond construction will utilize 6,300 sq. ft. of uplands, create 115 linear feet of intermittent stream channel and incorporates a wetland and marsh benches.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02257                      NUGENT ESTATE, PETER**  
**STEWARTSTOWN   Big Diamond Pond**

Requested Action:

Dredge and fill 138 square feet (63 linear feet) of a perennial stream to remove an existing collapsed 6.5 foot diameter culvert, restore the stream and install a bridge landward of the top of bank to landward of the top of bank.

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APPROVE PERMIT:

Dredge and fill 138 square feet (63 linear feet) of a perennial stream to remove an existing collapsed 6.5 foot diameter culvert, restore the stream and install a bridge landward of the top of bank to landward of the top of bank.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC entitled Proposed Conditions Plan dated 07/23/2010, revised 11/23/10 as received by DES on November 30, 2010.
2. Following completion of work the areas of temporary impact shall be restored.
3. Materials used to emulate a natural channel bottom shall be rounded and smooth stones similar to the natural stream substrate.
4. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
5. Work shall be done during low flow.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
10. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. A new bridge will be built in accordance with Env-Wt 303.05 (r): any stream crossing built landward of the top of one bank to landward of the top of the opposite bank so as not to impact jurisdictional areas.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

**2010-02361                      BARNDOLLAR, STEPHEN & KARIN**  
**PORTSMOUTH   Tributary To Piscataqua River / Tidal Buffer**

Requested Action:

Impact 284 square feet of developed upland tidal buffer zone to install 60 linear feet of landscape retaining wall, retain a clothes line structure and retain a 140 square foot shed; temporarily impact 797 square feet of tidal wetland to removed previously permitted rip rap and restore tidal marsh vegetation in its place.

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APPROVE PERMIT:

Impact 284 square feet of developed upland tidal buffer zone to install 60 linear feet of landscape retaining wall, retain a clothes line structure and retain a 140 square foot shed; temporarily impact 797 square feet of tidal wetland to removed previously permitted rip rap and restore tidal marsh vegetation in its place.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering Inc. dated 9/21/2010, as received by the NH Department of Environmental Services (DES) on 10/30/2010.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Rip rap removal area shall be regraded to original contours following completion of work.
7. Tidal wetland replication area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES

Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The landscape wall is part of an extensive overall planting plan proposed for the tidal buffer zone on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The landscape wall is located above the highest observable tide line in the developed upland tidal buffer zone. In conjunction with the benefit of the landscape planting plan, the applicant is also removing an area of rip rap permitting in the 1990's which protrudes into the tidal resource, and is restoring the tidal vegetation in its place.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Although there were species of concern reported for the project vicinity the NH Natural Heritage Bureau does not expect the species to be impacted by the project.
5. The Portsmouth Conservation Commission supported the landscape planting plan and retention of the clothesline and shed, but did not support approval of the landscape wall.
6. DES finds that approval of the landscape wall in the developed upland tidal buffer zone as an element of the overall landscape planting plan is consistent with other approvals by DES for similar projects in the seacoast.
7. DES finds that removal of an excessive protrusion of rip rap into the tidal resource and natural revegetation of that area more than offsets placement of the wall in the tidal buffer zone above the highest observable tide line at that location.
8. Issues raised by the Portsmouth Planning Department relative to upgrade of a boat house located partially on pilings over the tidal resource to a cottage-like use will be pursued as an enforcement matter under separate cover.

**2010-02419                      ALTON BAY CHRISTIAN CONFERENCE CENTER**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Impact 4120 sq ft of lakebed and bank to construct a temporary cofferdam, install 2 dry hydrants, and replace a culvert outfall on an average of 1212 ft of frontage in Alton Bay, on Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

The local Con Com submitted comments

APPROVE PERMIT:

Impact 4120 sq ft of lakebed and bank to construct a temporary cofferdam, install 2 dry hydrants, and replace a culvert outfall on an average of 1212 ft of frontage in Alton Bay, on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by HL Turner group, Inc. revised November 15, 2010, as received by the NH Department of Environmental Services (DES) on November 22, 2010.
2. Area shall be regraded to original contours following completion of work.
3. Once the cofferdam is fully effective, confined work can proceed without restriction.
4. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Culvert outlets shall be properly riprapped.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that affect between 50 and 200 linear ft of shoreline on a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02517                      REGAN, MICHAEL**  
**WAKEFIELD   Pine River Pond**

Requested Action:

Excavate 900 sq ft along 47 linear ft of shoreline to construct a 44 ft - 19 ft perched beach with an 18 in wide perimeter wall and pour an 8 ft x 6 ft concrete pad to anchor a 6 ft x 30 ft seasonal pier on 504 ft of frontage on Pine River Pond in Wakefield.

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APPROVE PERMIT:

Excavate 900 sq ft along 47 linear ft of shoreline to construct a 44 ft - 19 ft perched beach with an 18 in wide perimeter wall and pour an 8 ft x 6 ft concrete pad to anchor a 6 ft x 30 ft seasonal pier on 504 ft of frontage on Pine River Pond in Wakefield.

With Conditions:

1. All work shall be in accordance with plans by William McNair dated May 15, 2010 and November 15, 2010, as received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. The seasonal pier shall be removed for the non-boating season.
3. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 594). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The concrete pad installed to anchor the dock shall be located completely landward of the normal high water line.
6. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers shall be as shown on the plans by William McNair dated November 15, 2010, as received by the NH Department of Environmental Services (DES) on December 7, 2010.
10. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), alteration of less than 50 linear ft of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02686                      SALEM, TOWN OF**  
**SALEM   Porcupine Brook**



Requested Action:

Impact 3,761 sq. ft. (1,109 sq. ft. permanent & 2,652 sq. ft. temporary) within the embankments and flow channel of Porcupine Brook for work associated with the replacement of the structurally deficient bridge which carries South Policy Street over Porcupine Brook.

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Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed this application and recommends approval of the permit.

APPROVE PERMIT:

Impact 3,761 sq. ft. (1,109 sq. ft. permanent & 2,652 sq. ft. temporary) within the embankments and flow channel of Porcupine Brook for work associated with the replacement of the structurally deficient bridge which carries South Policy Street over Porcupine Brook.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated 09/10, as received by the NH Department of Environmental Services (DES) on September 27, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c)& (l), Projects in a perennial non-tidal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

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**2008-02332                      ROCKY WOODS RESORTS INC**  
**CARROLL    Unnamed Stream**

Requested Action:

Approve name change to: Rocky Woods Resorts, Inc., PO Box 148, Twin Mountain, NH 03595 per request received 11/30/10.

Previous owner: Gregory Robinson.

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Conservation Commission/Staff Comments:

No comments from Conservation Commission.

APPROVE NAME CHANGE:

Dredge and fill 1,075 square feet of wetlands and 35 linear feet of an associated intermittent stream impact for construction of an access road to a proposed campground expansion. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 3'diameter by 35' length plastic culvert and associated filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction, Inc. revised 1/13/09, as received by DES on January 30, 2009.
2. Work shall be done during periods of non-flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Culverts shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2010-01727                      HOLDER, WILLIAM & SARAH**  
**LACONIA    Unnamed Stream**

Requested Action:

Confirm Emergency Authorization issued July 6, 2010 (revised 8/10/10) to replace a section of deteriorated culvert and stabilize portions of Pine Brook crossing on Shore Drive.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm Emergency Authorization issued July 6, 2010 (revised 8/10/10) to replace a section of deteriorated culvert and stabilize portions of Pine Brook crossing on Shore Drive.

**With Conditions:**

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet,
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-01772                      BABINEAU 1997 REVOC TRUST, T ARTHUR  
WILTON   Unnamed Stream Unnamed Stream**

**Requested Action:**

Dredge and fill  $\pm$  1,764 sq. ft. of intermittent stream and associated wetlands to install an embedded 60-in. x 40-ft. culvert for access to three (3) parcels (total 131 acres).

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill  $\pm$  1,764 sq. ft. of intermittent stream and associated wetlands to install an embedded 60-in. x 40-ft. culvert for access to three (3) parcels (total 131 acres).

**With Conditions:**

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated October 25, 2010, and May 03, 2010, and revised through November 17, 2010, as received by the Department on November 18, 2010.
2. Work shall be done during low flow conditions and in the dry.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah), a new stream crossing that qualifies as minimum under Env-Wt 903.01(e).
2. Pursuant to Env-Wt 904.02, the proposed culvert is sized to accommodate the greater of the 50-year frequency.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The Natural Heritage Bureau report dated June 18, 2010, indicated that currently there is no recorded occurrence of sensitive species near this project area.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02066                      PARADISE LODGE CONDOMINIUM ASSOCIATION**  
**BRIDGEWATER   Newfound Lake**

**Requested Action:**

Remove 9 cu yd of sand from a 12 ft x 30 ft sloped beach and replenish the same area with 9 cu yd of clean sand on approximately 300 ft of frontage on Newfound Lake in Bridgewater.

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**Conservation Commission/Staff Comments:**

Con Com signed Exp Application, however project has been reclassified as a major impact with approx 222 cubic yards of dredge and fill for sand placement

**APPROVE PERMIT:**

Remove 9 cu yd of sand from a 12 ft x 30 ft sloped beach and replenish the same area with 9 cu yd of clean sand on approximately 300 ft of frontage on Newfound Lake in Bridgewater.

**With Conditions:**

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on November 30, 2010.
2. All removed sand shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 9 cu yd of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is deemed a minimum impact per Administrative Rule Env-Wt 303.04(o), as less than 10 cu yd of sand are to be used and all sand will be located above the normal highwater line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02071                      LITTLETON, BARRY & PAULA**  
**SANDWICH   Unnamed Wetland**

**Requested Action:**

Dredge and fill 700 square feet of wetlands for the construction of an access road to a residential lot. Work in jurisdiction includes the installation of a 36" HDPE culvert.

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**APPROVE PERMIT:**

Dredge and fill 700 square feet of wetlands for the construction of an access road to a residential lot. Work in jurisdiction includes

the installation of a 36" HDPE culvert.

With Conditions:

1. All work shall be in accordance with the plans by Hambrook Land Surveying dated June 2010 as received by DES November 19, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culverts shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted a vernal pool survey and narrative, completed by a NH certified wetland scientist, in which a vernal pool area was identified.
6. The applicant has provided an approximately 100 foot buffer to the vernal pool area located on the site.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

**2010-02239                      TARBELL II, EDMUND**  
**NEW CASTLE   Picataqua River**

Requested Action:

Excavate, fill, regrade and otherwise alter terrain within a total of 3,350 sq. ft. of the previously developed upland tidal buffer zone bordering the Piscataqua River for work associated with the stabilization of a failed embankment, the removal of a boathouse and

marine railway, the installation of a subterranean drainage system and the installation of stone rip-rap armor along the toe of the embankment for scour protection.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Representatives from the New Castle Conservation Commission met with the agent, contractor and DES staff on Nov. 02, 2010 to review this application. More information was requested, has been received and the concerns expressed by the New Castle Conservation Commission have been abated.

**APPROVE PERMIT:**

Excavate, fill, regrade and otherwise alter terrain within a total of 3,350 sq. ft. of the previously developed upland tidal buffer zone bordering the Piscataqua River for work associated with the stabilization of a failed embankment, the removal of a boathouse and marine railway, the installation of a subterranean drainage system and the installation of stone rip-rap armor along the toe of the embankment for scour protection.

**With Conditions:**

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated 09/29/10 (last revised 11/02/10), as received by the NH Department of Environmental Services (DES) on November 16, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland (NB: NO CSPA permit is required for this project).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in the previously developed upland tidal buffer zone.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02469                      CONCORD, CITY OF**  
**CONCORD   Unnamed Stream**

**Requested Action:**

Proposal to dredge and fill 324 sq. ft. forested wetlands and one intermittent stream for the replacement of 3 box culverts and existing drainage structures for work being conducted on North State Street. Work includes removal of the existing structures and installation of two new 24 in. RCP culverts and replacement of associated drainage structures, headwalls and inlet and outlet protection, and installation of a new 42 in. RCP culvert with, associated drainage structures, redi-rock headwall and outlet protection.

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**APPROVE PERMIT:**

Dredge and fill 324 sq. ft. forested wetlands and one intermittent stream for the replacement of 3 box culverts and existing drainage structures for work being conducted on North State Street. Work includes removal of the existing structures and installation of two new 24 in. RCP culverts and replacement of associated drainage structures, headwalls and inlet and outlet protection, and installation

of a new 42 in. RCP culvert with, associated drainage structures, redi-rock headwall and outlet protection.

With Conditions:

1. All work shall be in accordance with plans and narratives by The City of Concord plans dated June 18, 2010, as received by the NH Department of Environmental Services (DES) on September 16, 2010 and narratives by Stoney Ridge Environmental, LLC, received by the DES, on December 10, 2010.
2. The City shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2010-02469 prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k) and do not exceed any of the following criteria:
  - (1) Drainage structures shall not exceed 3,000 square feet of dredge or fill in area;
  - (2) Culverts shall not cross streams 10 feet wide or greater, measured from base of bank slope to base of bank slope;
  - (3) Wetlands crossed shall have no standing water for 10 months of the year and shall not exceed 50 feet across, measured along the roadway, and the fill width measured at the base of the roadway side slopes shall not exceed 50 feet; or
  - (4) Shoulder widening shall not exceed 3 cubic yards of fill per linear foot in wetlands that have no standing water for 10 months of the year, and shall not exceed 10 feet of additional encroachment measured from base of slope; and
- Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The work is being conducted to mimic existing drainage conditions.

**2010-02681                      PINCIARO, DOUGLAS/ANNE**  
**NEW CASTLE   Piscataqua River**

**Requested Action:**

Impact a total of 7,160 sq. ft. (2,320 sq. ft. permanent & 4,840 sq. ft. temporary) within the previously developed upland tidal buffer zone for work associated with the removal of the existing dwelling and gazebo and the construction of a new dwelling, boat storage area and to install stone rip-rap armor along the lot frontage bordering the Piscataqua River including the 16 ft. wide ROW at the terminus of Riverview Road.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The applicant has agreed to extend the rip-rap revetment an additional 16 feet westerly of their property line to provide bank stabilization across the Town of New Castle ROW at the terminus of Riverview Road.

**APPROVE PERMIT:**

Impact a total of 7,160 sq. ft. (2,320 sq. ft. permanent & 4,840 sq. ft. temporary) within the previously developed upland tidal buffer zone for work associated with the removal of the existing dwelling and gazebo and the construction of a new dwelling, boat storage area and to install stone rip-rap armor along the lot frontage bordering the Piscataqua River including the 16 ft. wide ROW at the terminus of Riverview Road.

**With Conditions:**

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated July 2010 (last revised 11/29/10), as received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and The New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in the previously developed upland tidal buffer zone.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02692                      BRISTOL, TOWN OF**  
**BRISTOL   Newfound River**

**Requested Action:**

Confirm emergency authorization issued by DES on 10/04/10 to make repairs to an existing 6" main under the Newfound River.



\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm emergency authorization issued by DES on 10/04/10 to make repairs to an existing 6" main under the Newfound River.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-02876                      NORTHUMBERLAND, TOWN OF  
NORTHUMBERLAND   Roaring Brook**

**Requested Action:**

Confirm emergency authorization to temporarily impact the bed and banks of the Upper Ammonoosuc River and Roaring Brook for repairs to a broken gravity sewer main.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm emergency authorization to temporarily impact the bed and banks of the Upper Ammonoosuc River and Roaring Brook for repairs to a broken gravity sewer main.

**With Conditions:**

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact;
2. The emergency repairs were needed to repair a broken gravity sewer main.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on October 21, 2010.
4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2010-02994                      BELLIVEAU, KENNETH  
MOULTONBOROUGH   Unnamed Wetland**

**Requested Action:**

Dredge and fill 612 sq. ft. of wetlands to provide access for maintenance and safety along one side of an existing home.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission commented that they have no objections.

**APPROVE PERMIT:**

Dredge and fill 612 sq. ft. of wetlands to provide access for maintenance and safety along one side of an existing home.

**With Conditions:**

1. All work shall be in accordance with plans by Bollinger Associates dated August 2010, as received by the NH Department of Environmental Services (DES) on October 22, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Work shall be done during low flow.
5. No fill shall be done to achieve septic setback and no dredging or filling shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. The approved fill area shall be maintained as a vegetated area to provide a buffer to the adjacent wetlands.
8. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
9. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure is constructed in accordance with the approved plans and permit conditions.
10. A post-construction report documenting the status project area with photographs shall be prepared by a CWS and submitted to the Wetlands Bureau within 60 days of the completion of the pond construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.  
Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-03104                      DICAMPO, THOMAS**  
**GOSHEN   Tributary To Trow Brook**

Requested Action:

Dredge and fill 500 sq. ft. of wetlands to construct an approximately 4,000 sq. ft. wildlife pond and remove an existing log crossing from a perennial stream, restore the stream and construct a new span bridge.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

Inspection Date: 08/18/2010 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill 500 sq. ft. of wetlands to construct an approximately 4,000 sq. ft. wildlife pond and remove an existing log crossing

from a perennial stream, restore the stream and construct a new span bridge.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy dated December 14, 2010, as received by the NH Department of Environmental Services (DES) on December 15, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond and crossing is constructed in accordance with the approved plans and narratives.
5. A post-construction report documenting the status of the project area with photographs shall be prepared by the CWS and submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided none of the wetlands have very poorly drained soil; there are no streams into or out of the proposed pond site; the project is not located in prime wetlands; and the project does not meet the requirements of Env-Wt 303.02(k) and Env-Wt 303.04(z) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:
  - (1) The total jurisdictional impact shall not exceed 3,000 square feet;
  - (2) The roadway width at the crossing shall not exceed 20 feet;
  - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;
  - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and2009-108 Adopted effective 05-25-10 5
  - (5) Such projects shall be limited to crossings that:
    - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
    - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
    - c. Do not meet the criteria of Env-Wt 303.02(k);
    - d. If crossing streams, qualify as minimum impact under Env-Wt 903.01(e); and
    - e. If crossing a swamps or wet meadows, cross those that have no standing water for 10 months of the year;.
2. The Natural Heritage Bureau (NHB) report dated July 12, 2010, indicated no NHB records in the vicinity of the project.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The proposed pond outlet was removed from the stream.
7. The proposed crossing will include removing the old crossing, restoring the stream and construction of a full span bridge.

## FORESTRY NOTIFICATION

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**2010-00933**                      **MITCHELL, JAMES**  
**NEW DURHAM**   **Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

New Durham Tax Map 10, Lot# 3

With Findings:

1. 1. A request for additional information dated 04/12/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-00936**                      **NELSON, ROBERT**  
**NEW DURHAM**   **Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

New Durham Tax Map 243

With Findings:

1. 1. A request for additional information dated 04/22/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-01183**                      **PALMER, DIANE**  
**NORTHWOOD**   **Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

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**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Northwood Tax Map 230, Lot# 38

**With Findings:**

1. 1. A request for additional information dated 07/21/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-03278                      NH DRED**  
**BRADFORD   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Bradford Tax Map 10, Lot# 47

**2010-03279                      PROCTOR ACADEMY**  
**ANDOVER   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Andover Tax Map 25, Lot# 513,487

**2010-03280                      MORRISON, THOMAS**  
**SANBORNTON   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Sanbornton Tax MAp 16, Lot# 59

**2010-03283                      FRANCHI, DEBRA**  
**TAMWORTH   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Tamworth Tax Map 403, Lot# 2

**2010-03285                      SMITH, PAUL/MARY LOUISE**  
**DALTON   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Dalton Tax Map 403, Lot# 70 & 76

**2010-03286                      COOMBS, JEFFERY & SHERRI**  
**SANDWICH   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Sandwich TAX MAp R10, Lot# 48

**2010-03287                      NEWELL, BETTY**  
**LANCASTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lancaster Tax Map R10, Lot# 31

**2010-03288                      HEARTWOOD FORESTLAND FUND IV LP, MATTHEW SAMPSON**  
**SUCCESS   Unnamed Stream**

COMPLETE NOTIFICATION:  
Success Tax Map 1613, Lot# 10

**2010-03292                      STEVENS FAMILY TRUST, DIANA STEVENS**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield Tax Map 209, Lot# 21

**2010-03295                      S&M FOREST TRUST, JOHN CONDE TTEE**  
**RICHMOND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Richmond Tax Map 415, Lot# 1, 2, 3

**2010-03304                      VILES, DOUGLAS**  
**HARRISVILLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Harrisville Tax Map 20, Lot# 11

**2010-03305                      LEONARD L GILES REVOC TRUST**  
**NOTTINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Nottingham Tax Map 17, lot# 31

**2010-03306                      STEARNS, ROBERTA**  
**NORTHWOOD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Northwood Tax Map 212, Lot# 8

**2010-03307                      L'EPLATTENIER, ALFRED & GILLIAN**  
**RINDGE   Unnamed Stream**

COMPLETE NOTIFICATION:

Rindge Tax Map 8, Lot# 37-2

**2010-03308                      MERSFELDER, JOHN/CATHERINE**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:

Tamworth Tax Map 410, Lot# 11

**2010-03314                      NFTI LIMITED PARTNERS**  
**WILMOT   Unnamed Stream**

COMPLETE NOTIFICATION:

Wilmot Tax Map 8, Lot# 3

**2010-03316                      CHASE, ARTHUR**  
**SUGAR HILL   Unnamed Stream**

COMPLETE NOTIFICATION:

Sugar Hill Tax Map 208, Lot# 2 & 3

**2010-03317                      CHASE, ARTHUR**  
**LISBON   Unnamed Stream**

COMPLETE NOTIFICATION:

Lisbon Tax Map R47, Lot# 1

**2010-03331                      KELLNER, HENRY & VIRGINIA**  
**HOLLIS   Unnamed Stream**

COMPLETE NOTIFICATION:

Hollis Tax Map 25, Lot# 2

**2010-03338                      BARRY, THOMAS AND MELISSA**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Hopkinton Tax Map 241, Lot# 36

**2010-03341                      HUGHES, PETER**  
**ELLSWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:

Ellsworth Tax Map E, Lot# 115

**2010-03346                      STONE MOUNTAIN LLC**  
**RICHMOND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Richmond Tax Map 403, Lot# 9 & 10

**2010-03347                      STONE MOUNTAIN LLC**  
**WINCHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Winchester Tax Map 404, Lot# 3

**2010-03349                      BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M**  
**BETHLEHEM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bethlehem Tax Map/Lot# 417/7 & 418/10

**2010-03352                      MCMAHON, CONSTANCE**  
**EAST KINGSTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
East kingston Tax Map 11, Lot# 4-1

**2010-03353                      HEISER, EDWARD/NINA**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich Tax Map R13, Lot# 4

#### EXPEDITED MINIMUM

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**2007-02655                      BOWER, BRUCE/ELIZABETH**  
**SUNAPEE   Lake Sunapee**

Requested Action:  
Amend permit to remove 45 linear feet of retaining wall, construct 45 linear feet of boulder planted slope.  
\*\*\*\*\*

APPROVE AMENDMENT:  
Amend permit to read: Repair/replace existing dug-in stairway, remove 45 linear feet of retaining wall, construct 45 linear feet of boulder and planted slope on 102 ft of frontage in Sunapee on Sunapee Lake.

With Conditions:



1. All work shall be in accordance with plans by DB Landscaping, LLC as received by the Department on March 28, 2008 and amendment plans by DB Landscaping, LLC dated October 19, 2010, as received by the Department on October 25, 2010.
2. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit does not allow for maintenance dredging.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(x), repair of existing non-docking structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-01332                      ANTRIM, TOWN OF**  
**ANTRIM    Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

\*\*\*\*\*

With Findings:

1. A request for additional information dated 06/03/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-01458                      RUST, SHARON**  
**SWANZEY    Unnamed Wetland**

Requested Action:

Retain ± 300 sq. ft. of unnamed intermittent stream to retain two (2) 24-in. x 30-ft. culverts and install headwalls and channel protection.

\*\*\*\*\*

APPROVE PERMIT:

Retain ± 300 sq. ft. of unnamed intermittent stream to retain two (2) 24-in. x 30-ft. culverts and install headwalls and channel protection.

With Conditions:

1. All work shall be in accordance with plans received October 07, 2010, and narrative dated November 15, 2010, as received by the Department on November 17, 2010.

2. This permit is contingent on photographs of the completed headwalls and channel protection confirming the culverts are no longer perched.
3. The schedule for headwall/channel protection construction shall coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within 30 days of permit issuance.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), access to an existing single family residential lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02008                      NOTTINGHAM, TOWN OF**  
**NOTTINGHAM   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 350 sq. ft. of wetland for the removal of three 24 inch deteriorated culverts and replace with three 36 inch culverts within the same general footprint under an existing roadway.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. signed the expedited application.

APPROVE PERMIT:

Dredge and fill a total of 350 sq. ft. of wetland for the removal of three 24 inch deteriorated culverts and replace with three 36 inch culverts within the same general footprint under an existing roadway.

With Conditions:

1. All work shall be in accordance with plans by West Environmental, Inc. dated December 10, 2010, as received by the NH Department of Environmental Services (DES) on December 10, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the existing culverts are deteriorated and need to be replaced.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The culverts are being replaced in the same general footprint.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau have no recorded occurrences for sensitive species near this project area.

**2010-02418                      NOURY INVESTMENTS INC**  
**HUDSON   Unnamed Stream**

Requested Action:

Temporarily impact 260 square feet with the bed and banks of aN intermittent stream for the installation of a drainage pipe connected to a stormwater management area.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Hudson Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 260 square feet with the bed and banks of aN intermittent stream for the installation of a drainage pipe connected to a stormwater management area.

With Conditions:

1. All work shall be in accordance with the following plans received by the NH Department Environmental Services (DES) on November 18, 2010:
  - a.) The plans by Keach-Nordstrom Associates, Inc. dated August 2010 and revised through 11/12/10; and,
  - b.) The Stream Restoration details by Wetland Consulting Services dated November 9, 2010.
2. The applicant shall notify in writing DES Wetlands Bureau Southeast Region staff of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback, or for any other construction related activities.
5. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Any clearing required in temporary disturbance area shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire," 2004. Timber, slash and/or chips shall be removed from wetland

areas and shall not be buried in wetlands.

9. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.

10. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the temporary impacts. These materials shall be entirely removed from wetlands during restoration.

11. Wetlands shall be restored to their pre-construction conditions within the temporary impact area, including restoration of original grades, within 5 days of backfill.

12. The stream bed and banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.

13. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.

14. The temporary impact area shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the temporary impact area is not adequately stabilized and restored.

15. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.

16. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02674                      ROBINSON, JOEL**  
**EPSOM    Unnamed Stream**

Requested Action:

Follow-up application for emergency authorization to replace an existing/failing 40 in. x 20 ft. CMP culvert with a new approximately 42 in. x 20 ft. plastic culvert.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE AFTER THE FACT:

After-the-fact approval to replace an existing/failing 40 in. x 20 ft. CMP culvert with a new approximately 42 in. x 20 ft. plastic culvert, associated headwalls, grading and filling.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. Appropriate siltation/erosion/turbidity controls shall remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application was in response to an emergency authorization issued by DES for the culvert replacement.

**2010-02694                      DONALD LEVASSEUR REVOC TRUST**  
**BEDFORD    Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 411 sq. ft. of wetlands to construct an access road to a proposed office building on an approximately 13.5 acre lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 411 sq. ft. of wetlands to construct an access road to a proposed office building on an approximately 13.5 acre lot.

With Conditions:

1. All work shall be in accordance with plans and narratives by Sandford Surveying and Engineering "Dredge and Fill Impact Plan" sheet 1 and 2 of 2 as received by DES on October 4, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau (if applicable).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A previous predict that was not completed on this property was permitted under DES Wetland Bureau File # 2004-00565.

**2010-02759 MORSE REVOC TRUST, JOHN**  
**WILMOT Unnamed Wetland**

Requested Action:

Dredge and fill 9810 sq. ft. of poorly drained forested wetlands to create a 17727 sq. ft. wildlife and fire suppression pond.

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APPROVE PERMIT:

Dredge and fill 9810 sq. ft. of poorly drained forested wetlands to create a 17727 sq. ft. wildlife and fire suppression pond.

With Conditions:

1. All work shall be in accordance with plans and narratives by Schauer Environmental, LLC, plan date (and revision) November 18, 2010, as received by the NH Department of Environmental Services (DES) on November 30, 2010.
2. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the pond is constructed in accordance with the approved plans and narratives.
3. A post-construction report documenting the status project area with photographs shall be prepared by a CWS and submitted to the Wetlands Bureau within 60 days of the completion of the pond construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided:
  - (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
  - (2) There are no streams into or out of the proposed pond site;
  - (3) The project is not located in prime wetlands; and
  - (4) The project does not meet the requirements of Env-Wt 303.02(k)
2. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02885                      WILSON, JOHN**  
**HANCOCK   Nubanusit Lake**

Requested Action:

Replace 12 support structures supporting a 10 ft x 18 ft shed with a 6 ft x 20 ft deck with no change in dimensions or configuration on Lake Nubanusit, Hancock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace 12 support structures supporting a 10 ft x 18 ft shed with a 6 ft x 20 ft deck with no change in dimensions or configuration on Lake Nubanusit, Hancock.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on October 21, 2010.
2. The repairs shall maintain the size, location and configuration of the pre-existing structures.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-02937                      NEW ENGLAND HERITAGE PROPERTIES CORP**  
**MEREDITH   Unnamed Wetland Lake Winnepesaukee**

Requested Action:

Impact 1,723 square feet of wetlands. Work in jurisdiction includes 1,327 square feet for the construction of a driveway including the installation of an 18" culvert; and 396 square feet for construction of a walkway to the lake.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 1,723 square feet of wetlands. Work in jurisdiction includes 1,327 square feet for the construction of a driveway including the installation of an 18" culvert; and 396 square feet for construction of a walkway to the lake.

**With Conditions:**

1. All work shall be in accordance with the plans by Advanced Land Surveying Consultants PLLC entitled Subdivision Plan Prepared For New England Heritage Property Corp. revision dated November 29, as received by DES December 02, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culverts shall be laid at original grade.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

**With Findings:**

1. This is a minimum impact project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. No comments were submitted from the NH Natural Heritage Bureau or the NH Fish and Game Department.



Requested Action:

Repair a 6 ft. x 30 ft. piling pier, with a 3 piling ice cluster, 3 fender pilings with a 12 ft. x 24 ft. seasonal canopy on 100 feet of frontage in Alton Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair a 6 ft. x 30 ft. piling pier, with a 3 piling ice cluster, 3 fender pilings with a 12 ft. x 24 ft. seasonal canopy on 100 feet of frontage in Alton Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on November 04, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-03116**

**VACCARELLO, VINCENT**

**BRISTOL Newfound Lake**

Requested Action:

Repair a 12 ft 6 in x 48 ft 6 in crib pier in kind on 175 ft of frontage on Newfound Lake in Bristol.

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APPROVE PERMIT:

Repair a 12 ft 6 in x 48 ft 6 in crib pier in kind on 175 ft of frontage on Newfound Lake in Bristol.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on November 23, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of

- the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
  4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
  5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
  7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
  8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
  9. No portion of the pier shall extend more than 42 ft 6 in from the shoreline at full lake elevation.
  10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair in kind of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-03126**

**324 SOUTH ROAD LLC**

**BRENTWOOD Unnamed Pond Forested Wetlands**

Requested Action:

Dredge and fill a total of 1,688 square feet jurisdictional wetland to include 1,668 square feet of temporary impact to a palustrine forested wetland and 20 square feet of permanent impact to the bed and banks of an existing freshwater pond to install a dry hydrant for fire protection for a 4-lot residential subdivision of approximately 31.46 acres.

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Conservation Commission/Staff Comments:

The Brentwood Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill a total of 1,688 square feet jurisdictional wetland to include 1,668 square feet of temporary impact to a palustrine forested wetland and 20 square feet of permanent impact to the bed and banks of an existing freshwater pond to install a dry hydrant for fire protection for a 4-lot residential subdivision of approximately 31.46 acres.

With Conditions:

1. All work shall be in accordance with the following plans received by the NH Department Environmental Services (DES) on November 16, 2010:
  - a.) The 'Proposed Conditions Plan' (Sheet 3 of 3) by Doucet Survey, LLC. dated July 13, 2010; and,
  - b.) The 'Proposed Fire Pond' (Sheet 1 of 1) by Beals Associates PLLC dated August 31, 2010 revised through 11/09/10.
2. The applicant shall notify in writing DES Wetlands Bureau Southeast Region staff of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback, or for any other

construction related activities.

6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
8. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
9. Work shall be done during seasonal low flow conditions.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Any clearing required in temporary disturbance area shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire," 2004. Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
12. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
13. Timber or natural fiber mats, corduroy, or temporary rock fill shall be used to stabilize the temporary impacts. These materials shall be entirely removed from wetlands during restoration.
14. Wetlands shall be restored to their pre-construction conditions within the temporary impact area, including restoration of original grades, within 5 days of backfill.
15. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. Dewatering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
16. The pond banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
17. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.
18. The temporary impact area shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the temporary impact area is not adequately stabilized and restored.
19. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
20. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant and Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The Brentwood Fire Department required the installation of a hydrant for fire protection; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. A letter of support dated October 12, 2010 from the Deputy Chief of the Brentwood Fire Department had been submitted with the application.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-03129                      THE ASQUAM RIVER REALTY TRUST**  
**ASHLAND   Squam River**

Requested Action:

Repair a 26 ft x 42 ft boathouse and residential structure with a 5 ft x 48 ft pier along the southwest exterior wall on 35 ft of frontage on the Squam River in Ashland.

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APPROVE PERMIT:

Repair a 26 ft x 42 ft boathouse and residential structure with a 5 ft x 48 ft pier along the southwest exterior wall on 35 ft of frontage on the Squam River in Ashland.

With Conditions:

1. All work shall be in accordance with plans by Jonathan Dupuis dated October 26, 2010, as received by the NH Department of Environmental Services (DES) on November 24, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. The repairs shall not ncrease the area of living space in any way nor shall there be any work or modification which would make the structure more suitable for residential use.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair of existing docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-03139                      BUCKSAR, SYLVIA**  
**BARTLETT   Unnamed Stream**

Requested Action:

Temporarily impact 916 square feet of an intermittent stream and forested wetland for the installation of an underground sewage discharge line.

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APPROVE PERMIT:

Temporarily impact 916 square feet of an intermittent stream and forested wetland for the installation of an underground sewage discharge line.

With Conditions:

1. All work shall be in accordance with plans entitled Wetland Impact Plan dated 10/22/2010 as received by DES on November 24, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Native material removed from the streambed during the utility line installation, shall be stockpiled separately and used to restore the streambed. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
8. Area of temporary impact shall be regraded to original contours following completion of work.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Env-Wt 303.04 (n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. All wetland impacts are temporary.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

**2010-03267                      HOLT, JEFF**  
**CONCORD   Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 50 sq. ft. of wetlands to upgrade an existing gravel access to a proposed single family home.

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APPROVE PERMIT:

Dredge and fill 50 sq. ft. of wetlands to upgrade an existing gravel access to a proposed single family home.

With Conditions:

1. All work shall be in accordance with plans by Matthew E. Moore revision date of November 8, 2010, as received by the NH Department of Environmental Services (DES) on December 3, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**AGRICULTURE MINIMUM**

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**2010-01892 KROKA EXPEDITIONS INC**  
**MARLOW Unnamed Wetland**

Requested Action:

Dredge and fill  $\pm$  15,400 sq. ft. of wet meadow wetlands for agricultural pond construction and stone ford installation and dredge and fill  $\pm$  2,130 sq. ft. of perennial stream for installation of a 7-ft. x 15-ft. box culvert for agricultural access.

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APPROVE PERMIT:

Dredge and fill  $\pm$  15,400 sq. ft. of wet meadow wetlands for agricultural pond construction and stone ford installation and dredge and

fill  $\pm$  2,130 sq. ft. of perennial stream for installation of a 7-ft. x 15-ft. box culvert for agricultural access.

With Conditions:

1. All work shall be in accordance with Agricultural Pond Design plans dated November 18, 2010, as received by the DES Wetlands Bureau on November 19, 2010, and plans by NRCS dated May 21, 2010, as received by the Department on September 22, 2010.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Work shall be done during annual low flow conditions.
6. This permit is contingent on receipt, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water of the stream.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Post-construction photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The Natural Heritage Bureau report dated August 09, 2010, indicated currently there is no record of occurrences for sensitive species near this project area.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**GOLD DREDGE**

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**2010-00829                      COSSETTE, THOMAS**  
**(ALL TOWNS)   Unnamed Stream**

Requested Action:

Denied for an admin insuficent & untimely response

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With Findings:

1. A request for additional information dated 04/12/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-00831                      COSSETTE, THOMAS**  
**(ALL TOWNS)   Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

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With Findings:

1. A request for additional information dated 04/12/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-03322                      CASSAVAUGH, GENE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:

cc Bath ConCom

**2010-03350                      LANGLEY, JEREMY**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:

cc Bath ConCom



## TRAILS NOTIFICATION

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**2010-00920                      KINGSTON, TOWN OF**  
**KINGSTON   Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Kingston Tax Map/Lot# R1/5, 11, 12, 13 & R6 /6, 12

With Findings:

1. A request for additional information dated 04/26/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-00996                      BROWN, TROY**  
**HOLLIS   Flint Brook**

Requested Action:

Denied for admin insufficient & untimely response

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Hollis Tax Map 14, Lot# 70

With Findings:

1. A request for additional information dated 04/30/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2010-01180                      MT CARDIGAN SMC**  
**ORANGE   Unnamed Stream**

Requested Action:

Denied for admin insufficient & untimely response

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With Findings:

1. 1. A request for additional information dated 05/17/10, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**LAKES-SEASONAL DOCK NOTIF**

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**2010-03343                      BONENFANT, JEAN-PIERRE**  
**DERRY   Beaver Lake**

COMPLETE NOTIFICATION:  
Derry TAx MAp 55, Lot# 48 Beaver Lake

**ROADWAY MAINTENANCE NOTIF**

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**2010-03339                      NH DEPT OF TRANSPORTATION**  
**MEREDITH   Unnamed Stream**

**PERMIT BY NOTIFICATION**

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**2010-03081                      ISAAC, NANCY**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:  
Reset existing rocks to repair a breakwater measuring no more than 4.5 ft wide x 30 ft long as measured at the normal high waterline on Moultonborough Neck, Lake Winnepesaukee, in Moultonborough.  
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Conservation Commission/Staff Comments:  
Con Com signed PBN form

PBN IS COMPLETE:  
Reset existing rocks to repair a breakwater measuring no more than 4.5 ft wide x 30 ft long as measured at the normal high waterline on Moultonborough Neck, Lake Winnepesaukee, in Moultonborough.

**2010-03332                      ELLISON, DEBORAH/KURT**  
**MEREDITH   Winnisquam Lake**

Requested Action:  
PBN Complete to install septic pump line that needs to cross over culvert for the intermittent stream and impact the Protected Shoreland to allow relocation of septic system to 75 feet from Lake Winnisquam.  
\*\*\*\*\*

Conservation Commission/Staff Comments:

CC signed PBN waiting intervention

PBN IS COMPLETE:

PBN Complete to install septic pump line that needs to cross over culvert for the intermittent stream and impact the Protected Shoreland to allow relocation of septic system to 75 feet from Lake Winnisquam.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae)(1) utility line associated with residential property where total jurisdictional impact is less than 3,000 square feet.

CSPA PERMIT

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**2010-03165                      SACCO, HENRY**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Impact 2,400 sq ft in order to raise building and pour in foundation.

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APPROVE PERMIT:

Impact 2,400 sq ft in order to raise building and pour in foundation.

With Conditions:

1. All work shall be in accordance with plans by Stewart Associates Architects dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on November 19, 2010.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,675 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03185                      34 SABLE RUN LANE NOM TRUST**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 1,192 sq ft in order to reconstruct a 22ft x 16ft single-bedroom guesthouse.

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**APPROVE PERMIT:**

Impact 1,192 sq ft in order to reconstruct a 22ft x 16ft single-bedroom guesthouse.

**With Conditions:**

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc. dated October 28, 2010 and received by the NH Department of Environmental Services (DES) on November 23, 2010.
2. No more than 29.36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,200 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03190                      MACCARTHY MARSHALL, JEAN**  
**FREEDOM   Berry Bay**

**Requested Action:**

Impact 5,087 sq ft in order to construct a new single family home with garage and a septic system.

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**APPROVE PERMIT:**

Impact 5,087 sq ft in order to construct a new single family home with garage and a septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Jean MacCarthy Marshall dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. No more than 14.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,510 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,750 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03203                      WALTON, DAVID**  
**GOFFSTOWN   Black Brook Pond**

Requested Action:

Impact 12,167 sq ft in order to construct a new leach field and an addition to an existing structure.

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APPROVE PERMIT:

Impact 12,167 sq ft in order to construct a new leach field and an addition to an existing structure.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 16, 2010 and received by the NH Department of Environmental Services (DES) on November 24, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 36.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 28,704 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 17,735 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03205                      BRUNO, LINDA**  
**GREENFIELD   Sunset Lake**

Requested Action:

Impact 2,389 sq ft in order to add foundation under existing house.

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APPROVE PERMIT:

Impact 2,389 sq ft in order to add foundation under existing house.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design LLC dated November 2, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. No more than 4.79% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,735 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,669 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03208                      CLARKE, KENNETH**  
**WILMOT   Eagle Pond**

Requested Action:

Impact 50,938 sq ft in order to excavate gravel pit.

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APPROVE PERMIT:

Impact 50,938 sq ft in order to excavate gravel pit.

With Conditions:

1. All work shall be in accordance with plans by Yerkes Surveying Consultants dated November 18, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. The project as proposed will leave approximately 215,309 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 112,654 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2010-03211                      LEVIS, JOSEPH**  
**WINDHAM   Cobbett's Pond**

Requested Action:

Impact 3,584 sq ft in order to raze structure and construct new dwelling, porch, driveway and install new septic and well.

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APPROVE PERMIT:

Impact 3,584 sq ft in order to raze structure and construct new dwelling, porch, driveway and install new septic and well.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03213                      WEBSTER, DARLENE/JUSTIN**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Impact 9,935 sq ft in order to construct a new residence, outbuildings, walkway and septic system.

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**APPROVE PERMIT:**

Impact 9,935 sq ft in order to construct a new residence, outbuildings, walkway and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated November 30, 2010 and received by the NH Department of Environmental Services (DES) on December 2, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,910 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,516 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03215                      PEROLD, ANDRE/SUELLEN**  
**CENTER HARBOR   Waukegan Lake**

**Requested Action:**

Impact 5,590 sq ft in order to construct two additions to existing residence, install a patio, modify walkway and swale.

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**APPROVE PERMIT:**

Impact 5,590 sq ft in order to construct two additions to existing residence, install a patio, modify walkway and swale.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated November 12, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 9,640 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03219                      FELSON FAMILY REV TRUST**  
**WINDHAM   Cobbett's Pond**

Requested Action:

Impact 2,400 sq ft in order to install a new septic tank for lots 214 and 214A.

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APPROVE PERMIT:

Impact 2,400 sq ft in order to install a new septic tank for lots 214 and 214A.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated October 7, 2010 and received by the NH Department of Environmental Services (DES) on November 29, 2010.
2. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03238                      LAVALLEE, RONALD**  
**WASHINGTON   Highland Lake**

Requested Action:

Impact 893 sq ft in order to construct additional driveway area.

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APPROVE PERMIT:

Impact 893 sq ft in order to construct additional driveway area.



With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc dated November 23, 2010 and received by the NH Department of Environmental Services (DES) on November 30, 2010.
2. No more than 14.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,611 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,625 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03239                      LEBANON, CITY OF**  
**LEBANON   Mascoma River**

Requested Action:

Impact 17,035 sq ft for the purpose of replacing existing sewerage lines.

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APPROVE PERMIT:

Impact 17,035 sq ft for the purpose of replacing existing sewerage lines.

With Conditions:

1. All work shall be in accordance with plans by the Louis Berger Group, Inc. dated November 22, 2010 and received by the Department of Environmental Services ("DES") on November 30, 2010.
2. There shall be no increases in impervious area associated with this project.
3. This permit is contingent upon receiving all necessary approvals from NH DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

**2010-03276                      POULIN, BETH**  
**FITZWILLIAM    Laurel Lake**

Requested Action:

Impact 5,735 sq ft in order improve 6ft wide access path to waterfront.

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APPROVE PERMIT:

Impact 5,735 sq ft in order improve 6ft wide access path to waterfront.

With Conditions:

1. All work shall be in accordance with plans by Organic Designs, LLC dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on December 6, 2010.
2. No more than 6.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 25,245 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,902 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-03291                      MATTHEWS, LAUREL**  
**NEWBURY    Sunapee Lake**

Requested Action:

Impact 1,527 sq ft in order to expand cabin, add deck and alter parking area for septic system.

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APPROVE AFTER THE FACT:

Impact 1,527 sq ft in order to expand cabin, add deck and alter parking area for septic system.

With Conditions:

1. All work shall be in accordance with plans by Rwells Design LLC dated November 30, 2010 and received by the NH Department of Environmental Services (DES) on December 7, 2010.
2. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. The project as proposed will leave approximately 4,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## CSPA PERMIT W/WAIVER

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**2010-01888                      ALTON BAY CHRISTIAN CONFERENCE CENTER**  
**ALTON BAY   Lake Winnepesaukee**

### Requested Action:

Amend Shoreland impact permit to add 235 sq ft of additional parking area.

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### APPROVE AMENDMENT:

Impact 37,180 sq ft for the purpose of constructing 4 new residential units, accessory structures and stormwater controls.

VARIANCE APPROVED: RSA 483-B:9 (V)(g)(3) is varied to allow a project resulting in between 20 and 30% impervious surface area coverage without the restoration of the waterfront buffer.

### With Conditions:

1. All work shall be in accordance with plans by the Turner Group dated March 29, 2010 and received by the Department of Environmental Services ("DES") on July 19, 2010.
2. This approval includes a variance of RSA 483-B:9, V(g)(3) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 26.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. No impacts to areas within Wetland Bureau jurisdiction as defined under RSA 482-A are authorized by this permit.
5. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
6. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain Program for impacts under the jurisdiction of RSA 485-A:17.
7. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.
16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The applicant or their designated agent hereby requests a variance of RSA 483-B:9, V(g)(3) for the purpose of increasing impervious area of a lot within the protected shoreland greater than 20% without having to provide additional plantings within grid segments of the waterfront buffer that do not meet the required 50 point minimum tree and sapling score.
2. The property owned by the Applicant is located across the street from the protect surface water and include any portion of the waterfront buffer. The Applicant is precluded from restoring the waterfront buffer as they do not own this land.
3. The literal enforcement of the standard would result in an unnecessary hardship as the deficient grid segments are located on different lots of record.
4. Granting the variance will not result in the diminution in the value of the surrounding properties. The applicant is required by RSA 485-A:17 to incorporate stormwater practices that will increase the level of protection of public waters.
5. Granting the variance will not be contrary to the spirit to RSA 483-B as the applicant is providing sound stormwater treatment practices.
6. Granting the variance will do substantial justice as the project will provide the same or greater degree protection than those that currently existing by providing significant levels of stormwater treatment.

**2010-02785                      BEAM, LUCIEN**  
**WASHINGTON   Ashuelot Pond**

Requested Action:

Impact 1,280 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

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APPROVE PERMIT:

Impact 1,280 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Lucien J. Beam and received by the Department of Environmental Services ("DES") on December 6, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 16.6% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. The submitted planting plan shall be implemented to ensure that each previously existing deficient grid segment will have at least

the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3). The plantings shall be completed by October 31, 2011 and a report documenting the survival of the plantings shall be submitted by June 30, 2012. The Applicant shall be responsible for replacing any failed plantings until a 100% survival rate is achieved.

9. The project as proposed will leave approximately 1,910 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,752 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).

10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

15. Any fill used shall be clean sand, gravel, rock, or other suitable material.

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. Silt fencing must be removed once the area is stabilized.

19. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Ashuelot and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to remove approximately 576 sq ft of impervious surface coverage from the waterfront buffer and allow it to revert to undisturbed, natural ground cover.

4. The applicant has proposed to install stormwater controls consisting of consisting of a drywell that will capture stormwater from the proposed expansion.

5. The applicant has proposed to enhance the waterfront buffer with additional, native plantings.

6. The applicant has proposed to install stormwater controls and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-02989                      WALKER, ALYS/HAROLD**  
**CENTER OSSIPEE   Ossipee Lake**

Requested Action:

Impact 2,429 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing a new septic system and stormwater controls.

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APPROVE PERMIT:

Impact 2,429 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans submitted by White Mountain Survey Co., Inc., last revised December 10, 2010 and received by the Department of Environmental Services ("DES") on December 13, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 27.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings achieve a 100% success rate.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Ossipee Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip edges of the proposed structures and has proposed to extend an infiltration trench approximately 30 feet in way that will intercept stormwater from the existing driveway as well.
4. The applicant has proposed to enhance the waterfront buffer by planting 15 additional native shrubs
5. The applicant has proposed to install significant stormwater controls and enhance the waterfront buffer and, therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.